

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
BRUCE WILBORN,	)	
Plaintiff,	)	
	)	Civil Action No.
v.	)	19-cv-12050-NMG
	)	
CHARLENE BONNER, et al.,	)	
Defendants.	)	
_____	)	

ORDER

GORTON, J.

Pro se litigant Bruce Wilborn, who is incarcerated at MCI Concord, brings this action under 42 U.S.C. §§ 1983 and 1988 in which he alleges that members of the Massachusetts Parole Board ("Board") violated his rights to due process and equal protection with regard to a parole review hearing on May 17, 2018 and the ensuing September 30, 2019 amended decision of the Board. Wilborn asks that the Board be required to immediately grant him a new parole hearing. Wilborn has also filed motions for leave to proceed in forma pauperis and for the appointment of counsel.

Upon review of the Amended Complaint and the motions, the Court hereby orders:

1. The motion for leave to proceed in forma pauperis is ALLOWED. Pursuant to 28 U.S.C. § 1915(b)(1), the Court assesses an initial partial filing fee of \$29.20. The remainder of the

fee, \$320.80, shall be collected in accordance with 28 U.S.C. § 1915(b)(2). The Clerk shall send a copy of this order to the treasurer of MCI Concord or other institution having custody of the plaintiff.

2. The Clerk shall issue summonses for all the defendants. Wilborn is responsible for ensuring that the summonses, amended complaint, and this order are served on defendants in compliance with Rule 4 of the Federal Rules of Civil Procedure.

3. The aforesaid service must be completed within 90 days of the date of this order. Failure to complete service in a timely fashion may result in dismissal of this action without further notice to the plaintiff from the Court. See Fed. R. Civ. P. 4(m); Local Rule 4.1.

4. Because Wilborn is proceeding in forma pauperis, he may elect to have service completed by the United States Marshals Service ("USMS"). If Wilborn chooses to have service completed by the USMS, he shall provide the agency with all papers for service on the defendants and a completed USM-285 form for each party to be served. The USMS shall complete service as directed by plaintiff with all costs of service to be advanced by the United States. The Clerk shall provide the plaintiff with forms and instructions for service.

5. The motion for appointment of counsel is DENIED  
WITHOUT PREJUDICE to renewal after the defendants have responded  
to the amended complaint.

**So ordered.**

/s/ Nathaniel M. Gorton  
Nathaniel M. Gorton  
United States District Judge

Dated: 12/11/19